

1939 General Letter No. 3

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
Washington, D.C.

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1939-20.3  
FEB 3 1939

January 27, 1939.

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:



The Agricultural Adjustment Act of 1938 provides in Sec. 8(g) that agricultural conservation payments may be assigned "as security for cash or advances to finance making a crop" but that such assignments cannot be made "to pay or secure any preexisting indebtedness". This language is quite clear in itself; however, in order that there might be no possible confusion on the subject, the above provisions of the Act were fully interpreted in Section I of ACP-70, "Instructions Relating to Assignments and Use of Form ACP-69".

Please remind county committees in your State by letter that it is of extreme importance in approving 1938 agricultural conservation applications involving assignments that they satisfy themselves that such assignments were made strictly in accordance with the law and the applicable regulations and instructions. In connection with assignments of 1939 agricultural conservation payments, county committees should be instructed to give special attention to the purpose for which such assignments may be given in order that only valid assignments will be accepted.

The field men traveling out of the State office should be instructed to discuss this matter in detail with county committees, and examine some of the assignments on file in the county offices they visit to ascertain if the proper procedure is being followed. In cases where the county committee is in doubt regarding the purpose for which an assignment is given it would be in order for it to require the assignor to submit an itemized statement of the advances received and forming the basis of the assignment, so that the committee may satisfy itself that the advances for which the assignment is given were made to finance making a crop in 1938 or 1939, whichever is applicable.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.



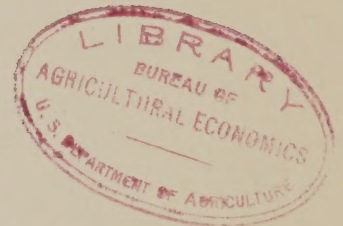


UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
Washington, D.C.

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1939-20.4  
FEB 3 1939

January 28, 1939

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:



The question has been raised as to how much credit will be given for the application of colloidal phosphate as a soil-building practice in connection with the 1939 Agricultural Conservation Program.

The application of 500 pounds of colloidal phosphate to, or with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, Lespedeza, crotalaria, Natal grass, or permanent pasture, which are not seeded or grown with a soil-depleting crop, will count as one unit in meeting the soil-building goal established for the farm and should be entered on the report of performance under practice A-2 along with basic slag and rock phosphate.

It will be appreciated if you will transmit this information to the county offices immediately.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.



1939 General Letter No. 5

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
Washington, D.C.

MAR 14 1939

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1939-70.5

February 11, 1939

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:

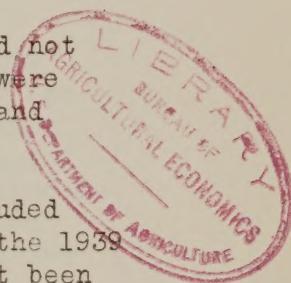
The question has been raised as to whether land not classified as cropland in 1938 on which small grains were seeded in the fall of 1938 should be considered cropland for 1939.

The answer is "Yes". This land should be included in the cropland (tilled acreage) used in determining the 1939 cotton acreage allotment. If such a procedure has not been followed in your State, it is suggested that you transmit the information to the county offices in order that corrections in the cropland as well as corrections in the allotments, where necessary, may be made in accordance with SR-B-302, Part I, Amendment 3.

Such acreage will also be included in computing the maximum assistance available for carrying out soil-building practices in 1939.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.







UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D.C.

February 14, 1939.

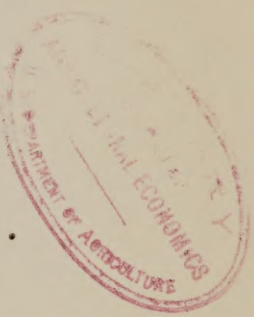
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To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:

Amendment 1 to ACP-70, "Instructions Relating to Assignments and Use of Form ACP-69", making the following changes was approved by the Administrator on February 10, 1939:

"I. Item d, paragraph B, Part III of ACP-70, "Instructions Relating to Assignments and Use of Form ACP-69", is hereby amended by adding at the end thereof the following:

Whether or not the assignment is to include interest on the amount advanced, the actual amount advanced (or the cash value thereof) must be entered in the spaces indicated. Interest may be included in the assignment only at the request of the assignor, and where included, a provision to the following effect must be inserted immediately above the line designated for the name and address of the assignee: "plus interest thereon at the rate of \_\_\_\_\_ percent per annum from \_\_\_\_\_, 19\_\_\_\_". The rate of interest must not be in excess of the maximum rate chargeable under the law of the State in which the farm is located, and the date will be the date on which the advance was made. (If the assignment covers advances made at different times, the date will be the average date with respect to the period of time during which the advances are made.)



"II. Item b, paragraph B, Part IV, is hereby amended to read as follows:

b. That part of the amount advanced to the assignor which is secured by the assignment (including accrued interest, if specified in Part I of Form ACP-69) and remains unpaid or undischarged at the time Part II of Form ACP-69 is executed. If this amount includes any accrued interest, a provision to the following effect must be inserted immediately above the line provided for amount: "(including \$\_\_\_\_\_ accrued interest)". Any interest included in the amount shown as unpaid or undischarged must have been computed at a rate not in excess of that specified in Part I of Form ACP-69 and for a period not exceeding that during which the amount advanced remained unpaid. In no event may such period



extend beyond the date on which Part II of the form is executed."

Please notify the county offices immediately of the above changes in the instructions relating to assignments and to the use of Form ACP-69.

I. W. Duggan

I. W. Duggan,  
Director, Southern Division.



UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D. C.

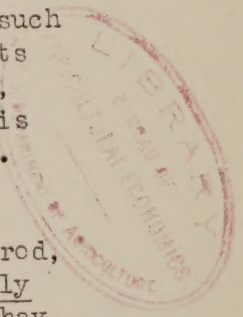
February 15, 1939.

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MAR 14 1939

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:

The following interpretations regarding crop classification under the 1939 Agricultural Conservation Program are set forth for your information:

- (1) Where more than one soil-depleting crop occupies the land at the same time - The land shall be classified in accordance with the actual acreage occupied by each crop. For example, if peanuts and cotton are grown in alternate rows, the acreage occupied by such crops is considered as half cotton and half peanuts provided there is normal spacing between the rows, that is, the distance between the rows of cotton is twice the usual distance for cotton planted alone. In this connection, it should be pointed out that cotton and peanuts planted in alternate rows are classified as all cotton if the peanuts are pastured, and classified as part cotton and part peanuts only if the peanuts are harvested for nuts or dug for hay.
- (2) Where one soil-depleting crop is followed by another soil-depleting crop on the same land in 1939 - The provisions of the 1938 program in this connection are not applicable in 1939. This matter is taken care of by the definition of such terms as "acreage planted to wheat", "acreage planted to cotton", etc. For example, if a given acreage is considered as planted to wheat, in accordance with the definition set out in the bulletin, such acreage would be considered as having been planted to wheat as well as being soil-depleting. If the wheat then fails and cotton is planted on the same land and reaches the bolling stage, the land would be considered as having been planted to cotton as well as to wheat. However, such acreage would count as soil-depleting only once in determining whether or not the total soil-depleting acreage allotment for the farm has been exceeded. If after reaching the bolling stage the cotton fails





and the same land is planted to a late feed crop (such as grain sorghum) for which a special acreage allotment is not established, the classification would remain the same as above (that is, all of the land would be classified as planted to wheat, all of it to cotton, and all of it as soil-depleting).

- (3) A soil-depleting crop interplanted with, grown in combination with, or followed by a crop not classified as soil-depleting - The entire acreage of land is classified as soil-depleting, with the following exceptions:

- (a) Where small grains are used as a nurse crop or are grown in a mixture containing at least 25 percent by weight of winter legumes and are cut for hay, as outlined in the definition of "SOIL-DEPLETING ACREAGE" in the Southern Region Bulletin for 1939, such crops are classed as non-depleting.
- (b) Where strips of soil-depleting crops, alternating with strips of legumes or other crops not classified as soil-depleting, are 3 rows (10 feet) or more apart, the acreage occupied thereby shall be classified in accordance with the actual acreage occupied by such crops (the strips or rows not classified as soil-depleting being measured from a point 1-3/4 feet from the outside of the strip of soil-depleting crop). In cases where a terraced field is devoted to one crop and the terraces are devoted to another crop, the crop grown on the terraces shall be counted separately only if this crop occupies a strip 10 feet or more in width.

- (4) Oats or other small grains (except wheat on a farm for which a wheat allotment is established) seeded in the fall and followed by lespedeza, sweet clover, or alfalfa, seeded the following winter or early spring - Small grains used in this manner are considered as a nurse crop and the acreage occupied thereby is not considered as soil-depleting if the small-grain crop is cut green for hay.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.



UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
WASHINGTON, D. C.

March 15, 1939

APR 12 1939

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Division.

Southern Region Bulletins 301A and 301B provide that "No payments except those for carrying out restoration land measures and soil-building practices shall be computed for any farm which is otherwise idle in 1939".

The county committee shall determine whether a farm should be considered as idle in 1939 on the basis of the producer's efforts to carry out normal farming operations thereon. Generally speaking, normal farming operations should not be deemed to have been carried out unless

(1) A soil-depleting crop is seeded for harvest in 1939; or

(2) A volunteer soil-depleting crop is harvested in 1939 on a major portion of the tilled land; or

(3) A non-depleting crop is seeded on the farm for harvest in 1939, or a volunteer non-depleting crop is harvested in 1939, on a major portion of the tilled land and the operator's farm plan provides for a rotation of depleting and non-depleting crops; or

(4) Failure to seed one or more crops for harvest in 1939 is due to flood or drought. (In areas where weather conditions prevent farming operations, the committee should consider whether the tenant or the owner of the farm is residing on or near the farm and is carrying out such farming operations as possible under existing weather conditions.)

If the county committee determines that normal farming operations in line with the above were not carried out, or were carried out only for the purpose and to the extent that the farm might be eligible for payment, such farm shall be considered as "otherwise idle" in 1939 and will not be eligible for any payment other than a payment for carrying out soil-building practices or restoration land measures.

The information contained in this letter should be sent to all counties immediately.

*I. W. Duggan*  
I. W. Duggan,  
Director, Southern Division.





UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
Washington, D. C.

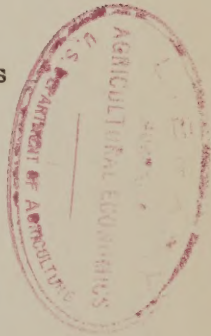
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March 28, 1939.

To All Administrative Officers and State Committeemen,  
Agricultural Adjustment Administration,  
Southern Region:

The question has been raised as to when acreage devoted to small fruits (such as strawberries) and vegetables is considered as being non-depleting. The following is set forth for your information:

1. Acreage devoted to small fruits and vegetables that are entirely consumed on the farm is considered as having been produced in home gardens for use on the farm and such acreage is classified as non-depleting.
2. The acreage devoted to any small fruit or vegetable, a part of which is used for commercial purposes, shall be considered as soil-depleting.



*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.









Clerk, Office of the Solicitor, U. S. Department of Agriculture, Washington, D. C. in the manner prescribed in subsection 600 (b), Article VI of 38-AAA-2.)

This letter supplements our letter of December 30, 1937, regarding the procedure to be followed in cases where a county agent or an employee of a county association or of a county agent's office is served with a subpoena to appear in court to testify or submit evidence in connection with the records of the Agricultural Adjustment Administration, and should be brought to the attention of each county agricultural conservation committee in your State immediately.

Copies of any telegrams or letters furnished this office in accordance with this letter or our letter of December 30, 1937, should be furnished the State office for their information and files.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.